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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 DIVERSIFIED LENDERS, LLC,

9 Plaintiff,

10 v.

11 AMAZON LOGISTICS, INC., and  
12 VERTICAL HOLDINGS UNLIMITED,  
13 LLC,

14 Defendants.

Cause No. C16-1232RSL

ORDER DENYING SECOND  
MOTION TO COMPEL

15 AMAZON LOGISTICS, INC.,

16 Cross-Claim Plaintiff,

17 v.

18 VERTICAL HOLDINGS UNLIMITED,  
19 LLC,

Cross-Claim Defendant.

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21 This matter comes before the Court on “Plaintiff Diversified Lenders, LLC’s Motion to  
22 Compel Defendant Amazon Logistics, Inc. to Respond to Plaintiff’s Third Set of Requests for  
23 Production and Third Set of Interrogatories and Request for Sanctions.” Dkt. # 81. Having  
24 reviewed plaintiff’s motion, it is clear that it is not entitled to the relief requested.  
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ORDER DENYING SECOND  
MOTION TO COMPEL

1 Plaintiff propounded its third sets of discovery requests on March 13, 2017. Plaintiff  
2 agreed to a one week extension of the response deadline, but when it did not hear from  
3 defendant, contacted opposing counsel on April 21, 2017. Defense counsel acknowledged that  
4 the deadline had “gotten away from” them and served objections later that day. Plaintiff filed  
5 this motion without meeting with defendant to discuss the objections. Plaintiff makes no effort to  
6 address the merits (or lack thereof) of defendant’s objections in the motion, instead simply  
7 objecting to the filing of objections.  
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9 The meet and confer requirements of Fed. R. Civ. P. 37(a)(1) and LCR 37(a)(1) are  
10 imposed for the benefit of the Court and the parties. They are intended to ensure that parties have  
11 an inexpensive and expeditious opportunity to resolve discovery disputes and that only genuine  
12 disagreements are brought before the Court. In the circumstances presented here, compliance  
13 with the Rule would have involved face-to-face or telephonic communications regarding  
14 defendant’s objections, plaintiff’s interests in the requested information, and the potential for  
15 compromise. While plaintiff boldly declares that it conferred in good faith in an attempt to  
16 obtain the relief requested in this motion, the Court finds that it did no such thing. Counsel’s  
17 April 21, 2017, conversation regarding a missed deadline is no substitute for a full and fair  
18 opportunity for the parties to explicate their arguments and objections without Court  
19 intervention.  
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1 For all of the foregoing reasons, plaintiff's second motion to compel (Dkt. # 81) is denied  
2 for failure to comply with Fed. R. Civ. P. 37(a)(1) and LCR 37(a)(1).  
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4 Dated this 30th day of June, 2017.  
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7 Robert S. Lasnik  
8 United States District Judge  
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